

If the results of the Loop Qualification indicate that the loop length exceeds 17,500 feet, ACI will be so notified and provided the associated loop make-up data. If ACI subsequently orders the loop with or without optional conditioning, ACI will be billed for any conditioning work requested.

## 5.5 Service Performance

SWBT will not guarantee that the local loop(s) ordered will perform as desired by ACI for DSL-based or other advanced services, but will guarantee basic metallic loop parameters, including continuity and pair balance. ACI requested testing by SWBT beyond these parameters will be billed on a time and materials basis at Access Tariff 73 rates.

SWBT will not pay any performance penalties during the term of the Interim Agreement.

## 5.6 Maintenance

Maintenance, other than assuring loop continuity and balance, on unconditioned or partially conditioned loops in excess of 12,000 feet will only be provided on a time and material basis as set out elsewhere in this Agreement. On loops where CLEC has requested that no conditioning be performed, SWBT's maintenance will be limited to verifying loop suitability for POTS. For loops having had partial or extensive conditioning performed at ACI's request, SWBT will verify continuity, the completion of all requested conditioning, and will repair at no charge to ACI any gross defects which would be unacceptable for POTS and which do not result from the loop's modified design.

## 5.7 Provisioning and Installation

5.7.1 The provisioning and installation interval for a DSL Capable loops, where no conditioning is requested, will be 5-7 business days after the Loop Qualification process is completed by SWBT on orders for 1-20 loops per order or per end-user location, or the provisioning and installation interval applicable to SWBT's tariffed DSL-based services, or its affiliate's, whichever is less. The provisioning and installation intervals for the DSL Capable loops where conditioning is requested will be 15 business days for loops up to 17,500 feet on orders for 1 to 20 loops per order or per end-user customer location, or the provisioning and installation interval applicable to SWBT's tariffed DSL-based services or its affiliate's where conditioning is required, whichever is less. Orders for more than 20 loops per order or per end-user location, or any order for a DSL-Capable Loop in excess of 17,500 feet where conditioning is requested, will have a provisioning and installation interval agreed upon by the Parties for each instance.

5.7.2 Subsequent to the initial order for a DSL Capable Loop, additional conditioning may be requested on such loop at the rates set forth below and the applicable service order charges will apply; provided, however, when requests to add or modify conditioning are received within 24 hours of the initial order for a DSL Capable

Loop, no service order charges shall be assessed, but may be due date adjusted as necessary. The provisioning interval for additional requests for conditioning pursuant to this subsection will be the same as set forth above.

5.8 The parties acknowledge that selective feeder separation is a disputed item in the current Arbitration proceeding between the Parties. It is ACI's position that selective feeder separation is not an acceptable or necessary practice. If SWBT uses a selective feeder separation method to manage the spectrum, in all cases, SWBT will manage the spectrum in a competitively neutral manner consistent with all relevant industry standards. In the interim period, SWBT agrees that ACI's order for a DSL Capable loop will not be delayed by any lack of availability of a specific binder group or spectrum exhaust. SWBT shall be under no obligation to provision DSL-Capable Loops in any instance where physical facilities do not exist. If SWBT reconfigures loops into a designated binder group, it shall do so at no cost to ACI.

5.9 Rates for DSL Capable Loops and Associated Charges, Billing and Payments of Rates and Charges

5.10 SWBT's rate for DSL Capable Loops, and associated charges, shall be as follows:

	Recurring	Nonrecurring Initial	Additional
*2-wire DSL-Capable Loops (Statewide Average)	\$15.10**	\$15.35**	\$6.35**
2-wire Digital Loop	\$38.24	\$15.03	\$6.22
4-wire Analog Loop	\$19.41	\$15.03	\$6.22
*Loop Qualification Process	\$0.00	\$0.00	
• ****DSL Shielded Cross Connect to Collocation	\$1.24	\$4.72	\$0.00
2-Wire Cross-Connect to Collocation	\$0.00	\$6.91	\$4.97
4-Wire Cross-Connect to Collocation	\$0.00	\$29.04	\$29.04
*DSL Conditioning Options			
Removal of Repeaters	\$0.00	\$0.00	\$0.00
Removal of Bridged Taps and Repeaters	\$0.00	\$0.00	\$0.00
Removal of Bridged Taps	\$0.00	\$0.00	\$0.00

Removal of Bridged Taps and Load Coils	\$0.00	\$0.00	\$0.00
Removal of Load Coils	\$0.00	\$0.00	\$0.00
Conditioning for loops over 17,500 ft	\$0.00	\$0.00	\$0.00

- The Parties acknowledge and agree that all of the rates set forth above, with the exception of the rates established by the Texas PUC in the Mega Arbitration II and which ACI agreed to in Appendix Pricing – Schedule of Prices to the underlying Agreement, are interim and subject to true-up pending the establishment of permanent rates by the Texas Commission. The parties further agree that if the Texas PUC determines that ACI must pay for the conditioning of DSL-capable loops and establishes permanent rate(s) for any DSL Conditioning Options, SWBT shall not seek retroactive true-up from ACI for any conditioning performed under this Interim Agreement on loops under 15,000 feet.

\*\* It is SWBT's position that the rate set forth for the 2-wire DSL loop above is appropriate for SWBT's 2-wire ADSL Capable Loop and the 2-wire Mid-band Symmetric Technology Capable Loop offerings since those non-recurring and recurring rates are the statewide average rates for the 2-wire analog loop in Texas which were established by the Texas PUC in the Mega Arbitration II, but SWBT does not agree that such rates are appropriate for all DSL-capable loop offerings.

\*\*\*\*The Parties acknowledge that charges for DSL Shielded Cross Connection to Collocation will be incurred only if ACI orders such DSL Shielded Cross Connect. If ACI orders regular non-shielded cross connects the applicable cross connect charges set forth in the Schedule of Prices to the underlying Interconnection Agreement will apply.

IN WITNESS WHEREOF, the Parties hereto have caused this Interim Agreement to be executed as of this 2 day of June, 1999.

Accelerated Connections, Inc.

Signature: Eric H. Gees

Name: Sec + Treas  
(Print or Type)

Title: Eric H. Gees

Southwestern Bell Telephone Company

Signature: John T. Stankey

Name: John T. Stankey

Title: Vice President - Industry Markets



**SWB**

**May 11, 1999**

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**DOCKET NO. 20226**

PETITION OF ACCELERATED	§	PUBLIC UTILITY COMMISSION
CONNECTIONS, INC., D/B/A	§	
ACI CORP. FOR ARBITRATION	§	OF TEXAS
TO ESTABLISH AN	§	
INTERCONNECTION AGREEMENT	§	
WITH SOUTHWESTERN BELL	§	
TELEPHONE COMPANY	§	

**DOCKET NO. 20272**

PETITION OF DIECA	§	PUBLIC UTILITY COMMISSION
COMMUNICATIONS, INC., D/B/A	§	
COVAD COMMUNICATIONS	§	
COMPANY FOR ARBITRATION OF	§	OF TEXAS
INTERCONNECTION RATES,	§	
TERMS, CONDITIONS AND	§	
RELATED ARRANGEMENTS	§	
WITH SOUTHWESTERN BELL	§	
TELEPHONE COMPANY	§	

**SOUTHWESTERN BELL TELEPHONE COMPANY'S**  
**APPEAL OF ORDER NO. 5 INTERIM ORDER**

**I. Introduction**

On December 11, 1998, ACI filed its petition for arbitration pursuant to § 251 and § 252 of the federal Communications Act (the Act) to establish an interconnection agreement with SWBT. Similarly, on December 21, 1998, Covad filed its petition for arbitration pursuant to § 252 of the Act to establish an interconnection agreement with SWBT. Among the issues that both submitted for compulsory arbitration is that of "collocation", an obligation on incumbent LECs that arises from § 252(c)(6) of the Act.

On April 26, 1999, a Commission panel, acting as a state commission arbitrator under § 252(b) of the Act, purported to order SWBT to "begin processing ACI's and

Covad's collocation orders immediately." Order No. 5, Interim Order, Docket No. 20226, at 2 (Tex. PUC Apr. 26, 1999). SWBT cannot physically comply with the timeframes set forth in the order.<sup>1</sup> This is an appeal of that order and in support thereof, SWBT would show:

## **II. An Agreement Is a Prerequisite to Interconnection**

The Commission may not enforce an obligation to actually provide collocation under federal law, absent inclusion of that obligation in an approved interconnection agreement. Section 251(c)(6) of the Act requires collocation. See 47 U.S.C. § 251(c)(6) (requiring incumbent LECs to "provide . . . for physical collocation of equipment necessary for interconnection or access to unbundled network elements."). However, as with the other duties created by § 251(b) and (c), the requirement that incumbent LECs provide collocation is not self-effectuating. Rather, both incumbent LECs and CLECs have a "duty to negotiate in good faith in accordance with Section 252...the particular terms and conditions of agreements to fulfill the duties described in [§ 251(b) and (c)]." 47 U.S.C. § 251(c)(1) (emphasis added). Negotiation and arbitration under § 252 are the exclusive means for enforcing the duties of § 251(b) and (c). As one federal court has explained, "[t]he 1996 Act has established a detailed regime of negotiation, mediation, arbitration, regulatory evaluation and federal court review." Goldwasser v. Ameritech Corp., No. 97 C 6788, 1998 WL 60878, at \*10 (N.D. Ill. Feb. 4, 1998). The duties imposed by § 251 "exist, therefore, only within the framework of the negotiation/arbitration process which the Act establishes." Id. at \*11.

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<sup>1</sup> Following issuance of Order No. 5, ACI requested many of its collocation locations be turned over in 45 days. ACI had requested 95 cageless collocations. Covad had requested 72 cageless collocations.

"If there are problems with carriers . . . failing to satisfy these duties to their competitors, the Act establishes the sole remedy: state PUC arbitration and enforcement proceedings, with review by federal courts." Id. (emphasis added).

### **III. Authority of Arbitrators Is Limited**

The regime described above leaves no room for a state commission arbitrator to order an incumbent LEC to take action pursuant to § 251(c) in the absence of an approved interconnection agreement. The authority of the arbitrator is restricted to resolving "open issues" in the negotiations between the incumbent LEC and CLEC. 47 U.S.C. § 252(b)(1); Id. § 252(b)(4)(A). The arbitrator may require the parties to adopt certain terms and conditions in their agreement, but that agreement must be "submitted for approval to the State commission." Id. § 252(e)(1). A party can obtain judicial review only after the state commission has taken such final action. See id. § 252(e)(6); see also GTE South, Inc. v. Morrison, 957 F. Supp. 800, 805 (E.D. Va. 1997) (the Act's "structure and purpose would be thwarted if this Court's review commenced before completion" of a state commission's proceedings); GTE Northwest, Inc. v. Hamilton, 971 F. Supp. 1350, 1354 (D. Ore. 1997); GTE North, Inc. v. Glazer, 989 F. Supp. 922, 924-25 (N.D. Ohio 1997); GTE North Inc. v. McCarty, 978 F. Supp. 827, 836-37 (N.D. Ind. 1997); GTE North, Inc. v. Strand, No. 5:97-CV-01, 1997 WL 811422, at \*4 (W.D. Mich. June 2, 1997); GTE South, Inc. v. Breathitt, 963 F. Supp. 610, 612 (E.D. Ky. 1997).

### **IV. Judicial Review Cannot Be Evaded in Contravention of the Act**

If a state commission arbitrator were able to order a carrier to take action prior to final approval of an interconnection agreement, the commission could evade judicial review entirely, in contravention of the Act. For this very reason, at least two federal



district courts have held that "State agencies . . . do not have the power to force parties to implement parts of interconnection agreements prior to final approval of the agreement." AT&T Comms. of the Southwest, Inc. v. Southwestern Bell Tel. Co., No. 98-4099-DES, 1999 WL 137668, at \*2 (D. Kan. Feb. 16, 1999); see also McCarty, 978 F. Supp. at 837 ("GTE . . . will not actually have to implement th[e] terms [of its interconnection agreement] until after the final agreement is approved.").

#### **V. Act Requires Nondiscriminatory Treatment**

The arbitrators' interim order also ignores the important role that interconnection agreements play in ensuring that all telecommunications carriers – not only the parties to a particular arbitration – are treated in a nondiscriminatory manner consistent with the Act. Section 252(i) provides that "any interconnection, service, or network element" that a LEC makes available under an approved interconnection agreement must be made available to any other similarly situated requesting carrier. 47 U.S.C. § 252(i). This provision confirms that Congress intended interconnection facilities (such as collocation) to be "provided under an agreement approved under [§ 252]," id., not pursuant to an arbitrator's order. Congress's nondiscrimination rule would be thwarted if arbitrators were able to order special accommodations for particular carriers in the absence of an approved agreement that, via § 252(i), makes the same legitimately-related terms and conditions available to all carriers.

## **VI. FCC Order Does Not Expand Arbitrators' Authority**

The arbitrators relied on a single paragraph of a recent FCC Order addressing collocation and advanced services.<sup>2</sup> However, that order does not purport to give arbitrators, state commissions, or the FCC itself the authority to order interim relief prior to approval of an interconnection agreement. Nor does that order imply that it is in any manner intended to override the procedures for negotiation, arbitration, and approval of agreements embodied in § 252. To the contrary, the FCC made clear through its discussion on collocation order processing prior to a signed agreement, that it was not requiring that collocation actually be provided prior to an interconnection agreement becoming effective. See *Advanced Services First Report and Order and NPRM* at paragraphs 52-53.

Further, as previously stated, an arbitrator may require parties to adopt certain terms and conditions in their agreement, but that agreement must be "submitted for approval to the State commission." That has not occurred here. Further, the arbitrators offered no other legal authority for ordering SWBT to begin processing ACI's and Covad's orders for collocation immediately; and also, to begin processing orders for circuits and transport arrangements.

## **VII. The Interim Order Should Be Set Aside**

The uncontroverted fact is that there is no interconnection agreement between SWBT and ACI or between SWBT and Covad. Prior to approval of interconnection agreements between these parties, neither the arbitrators nor the Commission have

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<sup>2</sup> *First Report and Order and Further Notice of Proposed Rulemaking, Deployment of Wireline Services Offering Advanced Telecommunications Capability*, CC Docket No. 98-147, FCC 99-48, ¶ 53 (rel. March 31, 1999).


authority under the law to order an incumbent LEC, such as SWBT, to interconnect with a CLEC. The arbitrators exceeded their statutory authority by ordering SWBT to begin processing immediately ACI's and Covad's collocation orders.

Wherefore, premises considered, SWBT respectfully requests that Order No. 5 be set aside.

Respectfully submitted,

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Vice President and General Counsel  
External Affairs-Texas

ANN E. MEULEMAN  
General Counsel-Austin

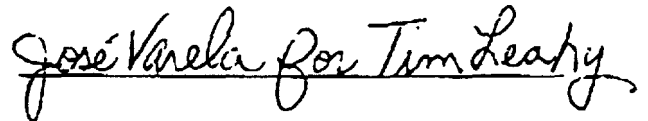
  
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**CERTIFICATE OF SERVICE**

I, Timothy P. Leahy, Senior Counsel for Southwestern Bell Telephone Company, certify that a true and correct copy of this document was served on all parties of record in this proceeding on the 11th day of May, 1999, via facsimile transmission or hand delivery.





**SBC and CLEC xDSL Collaborative**  
**January 19, 2000**

**Synopsis of Issues by Category**

**Standard Intervals**

<b>CLEC Comment</b>	<b>SBC Response</b>	<b>Status</b>
<ul style="list-style-type: none"><li>• Request standard interval implementation timeline.</li></ul>	<ul style="list-style-type: none"><li>• Standard intervals are currently available in SBC's 13-state generic offering.</li></ul>	Resolved
<ul style="list-style-type: none"><li>• Request standard intervals be provided in POR.</li></ul>	<ul style="list-style-type: none"><li>• This issue is outside of the scope of the POR. Individual CLECs standard intervals are based on individual interconnection agreements.</li></ul>	Open
<ul style="list-style-type: none"><li>• Request that standard interval be based upon the receipt of a complete and valid LSR.</li></ul>	<ul style="list-style-type: none"><li>• Standard intervals are based upon the receipt of a complete and valid LSR.</li></ul>	Resolved
<ul style="list-style-type: none"><li>• Question whether standard provisioning intervals for CLECs will be in parity with those provided to SBC's affiliates</li></ul>	<ul style="list-style-type: none"><li>• This issue is outside of the scope of the POR. SBC offers the same standard provisioning intervals to all CLECs including its affiliates.</li></ul>	Resolved

**SBC and CLEC xDSL Collaborative**  
**January 19, 2000**

**Synopsis of Issues by Category**

**Pre-Qualification**

<b>CLEC Comment</b>	<b>SBC Response</b>	<b>Status</b>
<ul style="list-style-type: none"><li>Request that pre-qualification information be made available throughout the 13-state environment.</li></ul>	<ul style="list-style-type: none"><li>Detailed loop qualification information including loop length will be made available on a pre-order basis through our loop qualification processes. CLEC can determine the ability of the loop to support a particular service based on the loop makeup information available on a pre-order basis through the loop qualification process.</li></ul>	Resolved

**SBC and CLEC xDSL Collaborative**  
**January 19, 2000**

**Synopsis of Issues by Category**

**Parity**

<b>CLEC Comment</b>	<b>SBC Response</b>	<b>Status</b>
<ul style="list-style-type: none"><li>• Asked if design data provided only when ADSL is specified on the loop qualification request</li></ul>	<ul style="list-style-type: none"><li>• Loop make-up based on design data is not technology specific and will be provided when actual data is not available for any xDSL request.</li></ul>	Resolved
<ul style="list-style-type: none"><li>• Asked if there is parity between other CLECs and affiliates</li></ul>	<ul style="list-style-type: none"><li>• Pre-order and ordering functionality will be provided under the same terms and conditions to all CLECs including SBC's affiliates.</li></ul>	Resolved
<ul style="list-style-type: none"><li>• Service performance to SBC affiliates is not addressed in the POR</li></ul>	<ul style="list-style-type: none"><li>• This issue is outside of the scope of the POR.</li></ul>	Open
<ul style="list-style-type: none"><li>• Request the plan for identifying how and under what schedule SBC plans to inventory its central offices to obtain both design and actual loop makeup information</li></ul>	<ul style="list-style-type: none"><li>• Due to system capability, AIT will update remaining central offices with actual loop makeup information by the end of 2000. Due to system constraints, no other SBC region has plans to load data not currently available in its mechanized systems.</li></ul>	Open
<ul style="list-style-type: none"><li>• Stated the POR does not include any electronic access to order status</li></ul>	<ul style="list-style-type: none"><li>• This issue is outside of the scope of the POR. However, SBC is addressing this request in its Uniform and Enhanced OSS POR that will outline pre-ordering and ordering OSS enhancements.</li></ul>	Open



**SBC and CLEC xDSL Collaborative**  
**January 19, 2000**

**Synopsis of Issues by Category**

**Planning Data**

<b>CLEC Comment</b>	<b>SBC Response</b>	<b>Status</b>
<ul style="list-style-type: none"><li>• Request aggregate loop statistics for central offices be supplied</li></ul>	<ul style="list-style-type: none"><li>• This type of information is not required for the pre-ordering or ordering of specific xDSL capable loops. This issue is outside of the scope of the POR.</li></ul>	Open

**SBC and CLEC xDSL Collaborative**  
**January 19, 2000**

**Synopsis of Issues by Category**

**Manual Access**

<b>CLEC Comment</b>	<b>SBC Response</b>	<b>Status</b>
<ul style="list-style-type: none"><li>• Request manual access to actual loop make-up information.</li></ul>	<ul style="list-style-type: none"><li>• CLECs will be able to request a manual lookup of loop make-up information not available through mechanized loop qualification.</li></ul>	Resolved
<ul style="list-style-type: none"><li>• Requests real-time access to all loop make-up information.</li></ul>	<ul style="list-style-type: none"><li>• Real-time (or near real-time) access will be provided for data that is contained in a mechanized database. SBC cannot provide real-time access to information not available to SBC in real-time.</li></ul>	Open

**SBC and CLEC xDSL Collaborative**  
**January 19, 2000**

**Synopsis of Issues by Category**

**Ordering**

<b>CLEC Comment</b>	<b>SBC Response</b>	<b>Status</b>
<ul style="list-style-type: none"><li>• Stated order flowthrough is not included in the POR</li></ul>	<ul style="list-style-type: none"><li>• This issue is outside of the scope of the POR. SBC's scope under merger conditions were to develop enhancements to the Datagate and EDI interfaces for pre-ordering and ordering.</li></ul>	Open
<ul style="list-style-type: none"><li>• Challenges use of specific LSR ordering fields discussed in FMO section of POR as either undesirable or non-standard</li></ul>	<ul style="list-style-type: none"><li>• The FMO portion of the POR indicates that LSR fields will be utilized in accordance with OBF standards.</li></ul>	Resolved

**SBC and CLEC xDSL Collaborative**  
**January 19, 2000**

**Synopsis of Issues by Category**

**Loop Qualifications**

<b>CLEC Comment</b>	<b>SBC Response</b>	<b>Status</b>
<ul style="list-style-type: none"><li>Should be permitted to submit orders even if they have not performed pre-order loop qualification.</li></ul>	<ul style="list-style-type: none"><li>SBC will continue to require loop qualification as a pre-order function as referenced by the tracking number on the LSR. Pre-order loop qualification provides important information required on the order to facilitate flowthrough of xDSL loop requests and FCC required inventory control and reporting. Only in the interim period before mechanized loop qualification is available, orders may be submitted without prior loop qualification.</li></ul>	Open
<ul style="list-style-type: none"><li>Asked if loop qualification is based on specific address</li></ul>	<ul style="list-style-type: none"><li>Yes. Loop qualification requires a specific address to access the data.</li></ul>	Resolved
<ul style="list-style-type: none"><li>Inquire about expiration of a loop qualification result</li></ul>	<ul style="list-style-type: none"><li>Loop qualification expires within 30 days due to the changing nature of SBC's network. Once loop qualification is available on a mechanized basis, performing a loop qualification requires minimal effort on the part of the CLEC.</li></ul>	Open
<ul style="list-style-type: none"><li>POR does not provide pricing for loop qualification and it should be free.</li></ul>	<ul style="list-style-type: none"><li>This issue is outside of the scope of the POR. Charges for loop qualification will be cost-based and determined by the state commissions. Anticipate having a separate charge for optional manual loop qualification versus mechanized based on cost to provide.</li></ul>	Open

**SBC and CLEC xDSL Collaborative**  
**January 19, 2000**

**Synopsis of Issues by Category**

**UNE Remand**

<b>CLEC Comment</b>	<b>SBC Response</b>	<b>Status</b>
<ul style="list-style-type: none"><li>• Request to integrate UNE Remand into the POR</li></ul>	<ul style="list-style-type: none"><li>• The POR does comply with the UNE Remand requirement</li></ul>	Resolved

**SBC and CLEC xDSL Collaborative**  
**January 19, 2000**

**Synopsis of Issues by Category**

**Texas Rhythms/ Covad Arbitration**

<b>CLEC Comment</b>	<b>SBC Response</b>	<b>Status</b>
<ul style="list-style-type: none"><li>Request that SBC implement the OSS modification and timelines outlined in the Texas Rhythms/Covad arbitration award.</li></ul>	<ul style="list-style-type: none"><li>SBC is not required to offer arbitrated provisions on a 13-state basis.</li></ul>	Open

**SBC and CLEC xDSL Collaborative**  
**January 19, 2000**

**Synopsis of Issues by Category**

**Other OSSs**

<b>CLEC Comment</b>	<b>SBC Response</b>	<b>Status</b>
<ul style="list-style-type: none"><li>Requested POR inclusion for OSS functionality other than EDI and Datagate, e.g., Verigate, LEX, POS, WebGUI</li></ul>	<ul style="list-style-type: none"><li>This issue is outside of the scope of the POR. The subsequent Uniform and Enhanced OSS POR will address other OSSs beyond EDI and Datagate.</li></ul>	Open

**SBC and CLEC xDSL Collaborative**  
**January 19, 2000**

**Synopsis of Issues by Category**

**Line Sharing**

<b>CLEC Comment</b>	<b>SBC Response</b>	<b>Status</b>
<ul style="list-style-type: none"><li>Request that POR include detailed processes for line sharing.</li></ul>	<ul style="list-style-type: none"><li>SBC will comply with the line sharing order including the required timeframes. It is anticipated that the line sharing processes will be similar to the DSL capable loop processes in that an LSR will be utilized for ordering. The loop makeup information that we provide for other technologies will support this offering. Line sharing processes are in development stages and are subject to change based on what is learned during the line sharing trial. CLECs will be advised through existing notification procedures.</li></ul>	Open



**SBC and CLEC xDSL Collaborative**  
**January 19, 2000**

**Synopsis of Issues by Category**

**Miscellaneous (Test, CMP, UNE-P)**

<b>CLEC Comment</b>	<b>SBC Response</b>	<b>Status</b>
<ul style="list-style-type: none"><li>• Request access to loop provisioning test results prior to cooperative testing</li></ul>	<ul style="list-style-type: none"><li>• This issue is outside of the scope of the POR.</li></ul>	Open
<ul style="list-style-type: none"><li>• Request that we use Change Management Process (CMP) for rollout of new capabilities and software changes</li></ul>	<ul style="list-style-type: none"><li>• SBC agrees to use the 13-state CMP, which is currently under development.</li></ul>	Resolved
<ul style="list-style-type: none"><li>• Request to add DSL capability to UNE-P for line sharing</li></ul>	<ul style="list-style-type: none"><li>• This is outside of the scope of the POR. FCC Line Sharing order specifically excludes UNE-P from line sharing requirements.</li></ul>	Open
<ul style="list-style-type: none"><li>• POR does not include conducting a set of ordering workshops over the 13-state area</li></ul>	<ul style="list-style-type: none"><li>• This issue is outside of the scope of the POR.</li></ul>	Resolved

**SBC and CLEC xDSL Collaborative**  
**January 19, 2000**

**Synopsis of Issues by Category**

**Inventory**

CLEC Comment	SBC Response	Status
<ul style="list-style-type: none"><li>Request knowledge of legacy system where data is derived.</li></ul>	<ul style="list-style-type: none"><li>Loop makeup data is generally found in assignment and engineering systems (such as LFACS and ARES), however the information available in legacy systems and the specific legacy systems vary by SBC region. SBC needs further clarification of the business need for this request.</li></ul>	Open

**SBC and CLEC xDSL Collaborative**  
**January 19, 2000**

**Synopsis of Issues by Category**

**DLR Process**

<b>CLEC Comment</b>	<b>SBC Response</b>	<b>Status</b>
<ul style="list-style-type: none"><li>• Request DLR prior to placing an order.</li></ul>	<ul style="list-style-type: none"><li>• DLR for actual loop does not exist until order is being provisioned.</li></ul>	Open
<ul style="list-style-type: none"><li>• Request to know what data will be contained in DLR.</li></ul>	<ul style="list-style-type: none"><li>• SBC will add a list of the data fields for a DLR or a DLR-like record to its CLEC web sites.</li></ul>	Resolved